

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION**

**DERRELL ANTHONY REDDEN  
#60404**

**PLAINTIFF**

**v.**

**No: 3:19-cv-00163 JM-PSH**

**T. RAYMOND, *et al.***

**DEFENDANTS**

**ORDER**

Plaintiff Darrell Anthony Redden filed this *pro se* 42 U.S.C. § 1983 action (Doc. No. 1) while confined at the Craighead County Detention Facility. The Court ordered service on the defendants and they have answered. *See* Doc. Nos. 4 & 9. On October 3, 2019, the defendants filed a motion to dismiss this case due to Redden's failure to prosecute the case (Doc. No. 13). Defendant's counsel states that correspondence to Redden has been returned as undelivered. *See* Doc. No. 15. Defendants' motion to dismiss was mailed to Redden at his last known address, the Craighead County Detention Facility. *See* Doc. No. 13 at 2.

On October 3, 2019, the Court entered a text order allowing Redden 14 days to respond to the defendants' motion to dismiss. *See* Doc. No. 16. A printed version of the text order was mailed to Redden at his last known address. On October 16, 2019, the envelope containing the text order could not be delivered to Redden at the Craighead County Detention Facility, and the envelope was returned to the Clerk of the Court with the notation "not in jail" and entered on the docket. *See* Doc. No. 18.

More than 14 days have passed since the defendants filed their motion to dismiss, and Redden has not filed a response. Redden also failed to notify the Clerk and the other parties to the proceedings of a change in his address as required by Local Rule 5.5(c)(2) and this Court's Initial

Order for *Pro Se* Prisoner-Plaintiffs (Doc. No. 2). Accordingly, the Court finds that this action should be dismissed without prejudice for failure to comply with Local Rule 5.5(c)(2). *See Miller v. Benson*, 51 F.3d 166, 168 (8th Cir. 1995) (District courts have inherent power to dismiss *sua sponte* a case for failure to prosecute, and exercise of that power is reviewed for abuse of discretion).

IT IS THEREFORE ORDERED THAT the defendant's motion to dismiss (Doc. No. 13) is granted, and Redden's complaint (Doc. No. 1) is dismissed without prejudice.

DATED this 22<sup>nd</sup> day of October, 2019.

  
UNITED STATES DISTRICT JUDGE